

TUESDAY, SEPTEMBER 22, 2009

**APPROVED MINUTES OF THE
COUNTY BOARD OF COMMISSIONERS MEETING HELD**

**STATE OF MINNESOTA)
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2009-18

The Dodge County Board of Commissioners met in regular session September 22, 2009, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Lyle Tjosaas, Vice Chair called the County Board of Commissioners meeting to order at 9:30 a.m. CDT.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

The Vice Chair acknowledged those present and established that there was a quorum:

Those Present

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	Don Gray	District #4
Members absent:	David Erickson	District #3
	David Hanson	District #5
Also present:	David McKnight	County Administrator
	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Gray seconded by Alberts to approve and adopt the agenda as amended to move the County Engineers request to approve payment for SAP 20-599-097 to 10:45 a.m. *Motion adopted unanimously.*

Agenda Approved

County Administrator David McKnight presented for the Board's consideration a Regional Rail Authority sponsorship request with Minnesota Counties Insurance Trust (MCIT).

DCRRA Sponsorship
with MCIT Supported

MCIT is offering coverage to the Dodge County Regional Rail Authority (DCRRA) for 2009 at a cost of \$1,507. This amount will be prorated for the remainder of the year, depending on the effective date of coverage. To obtain this coverage Dodge County must complete the following:

1. Approve and sign the proposed joint powers agreement between the Dodge County Regional Rail Authority and MCIT.
2. A letter must be sent from the DCRRA on letterhead stating that we accept the MCIT coverage as indicated in the coverage summary and cost estimate.
3. A letter must be sent from Dodge County which states that the county will sponsor the DCRRA for membership with MCIT.

4. Pass the proposed resolution from the DCRRA affirming the Board's intention to opt out of workers compensation coverage for the board and employees of the DCRRA since all of these individuals have this coverage through Dodge County.

DCRRA Sponsorship
with MCIT Supported
- Continued

Motion by Alberts seconded by Gray to instruct the County Administrator to send a letter to the Minnesota Counties Insurance Trust stating that Dodge County will sponsor the Dodge County Regional Railroad Authority for membership with the Minnesota Counties Insurance Trust. *Motion adopted unanimously.*

Commissioner Tjosaas presented a summary of the Human Services Committee report and action items.

Human Services
Committee Report

The Board discussed the Human Services Director's request to approve re-payment of 2008 State Targeted Case Management Grant funds. In 2007, the Minnesota Legislature adopted language to pay counties a grant to offset impending federal cuts to targeted case management funding. Accordingly, in 2008 Dodge County Human Services received \$43,160 from the Minnesota Department of Human Services.

Re-Payment of 2008
State Targeted Case
Management Grant
Funds Approved

Subsequently, Congress stayed the impending federal cuts, and the Minnesota Legislature adopted language requiring counties to repay the grant funds to the State, half by February 1, 2010, and half by February 1, 2011.

Given that this re-payment is required by state law; that it is unlikely to be reversed by the Minnesota Legislature in light of the State's budget circumstance; that the Human Services Fund balance benefited from the funding in 2008; and that the re-payment is one-time in nature, repayment of these funds in one payment in 2009 is our best approach.

Motion by Gray seconded by Alberts to approve and authorize a single payment of \$43,160 from the Human Services Fund to the State in 2009 as recommended by the Human Services Director for re-payment of 2008 State Targeted Case Management Grant funds. *Motion adopted unanimously.*

Building Operations Supervisor Roger Friedt discussed with the Board an asbestos abatement request.

Asbestos Abatement
Project Approved

Mr. Friedt reported that Dodge County has received bids for removal of asbestos containing materials and industrial hygiene monitoring for the house located on county property at 20 7th Street East, Mantorville, MN.

Bid results are as follows for asbestos abatement contractors:

Rank	Bidder	Base Bid
1	Environmental Plant Services	\$7,150.00
2	VCI Asbestos Abatement	\$8,300.00
3	Twell Environmental	\$8,433.00
4	Mavo Systems	\$8,600.00

Consultant's estimate: \$4,500.00.

Bid results are as follows for industrial hygiene firms:

Asbestos Abatement
Project Approved

Rank	Bidder	Base Bid
1	Institute for Environmental Assessment	\$1,600.00
2	Angstrom Analytical	\$2,174.00

Consultant's estimate: \$3,000.00.

Commissioner Alberts commented that he was not sure that they should stick anymore money into the project. It was Mr. Alberts' opinion that they could plaster the holes in the walls and sell the property.

The County Administrator reminded the Board that he was instructed at the last meeting to obtain asbestos abatement bids for this property. Mr. McKnight stated that the Board will need to abate this property eventually anyway but it was up to the Board to determine when they wanted to abate the property.

Commissioner Gray commented that he felt the property would be worth more as a vacant lot than it would be with the house on the property.

Commissioner Tjosaas stated that they cannot just plaster the holes in the house and sell it, there are more issues than the holes to deal with that need to be addressed.

Commissioner Gray wanted to know if cars could be parked on the lawn at this property.

County Attorney Paul Kiltinen stated that there may be some city ordinance that determines how many cars can be parked on the lawn.

Motion by Gray seconded by Alberts to approve the recommendation of Kane and Johnson Architects to award the asbestos abatement contract to Environmental Plant Services of St. Paul, MN in the amount of \$7,150.00 and the industrial hygiene monitoring contract to Institute for Environmental Assessment of Rochester, MN in the amount of \$1,600.00. *Motion adopted unanimously.*

The Building Operations Supervisor requested authorization to conduct an annex building evaluation.

Annex Building
Evaluation
Discussion

Mr. Friedt informed the Board that Building Operations has budgeted \$8,000 in 2009 for a HVAC improvement study or building evaluation study for the annex. This evaluation is to assess the condition of the mechanical heating, cooling and air conditioning systems and equipment, related electrical systems, and building envelope system to identify any system deficiencies in equipment and operations.

The Building Operations Supervisor reported that the annex HVAC systems are 20 years old and with maintenance history of major equipment failures such as cooling compressors on the cooling equipment. Refrigeration lines need to be replaced and insulation on piping has deteriorated. The boilers are showing signs of heating chambers rusting which may lead to potential failure of the heating system.

The electrical system will be reviewed for any deficiencies in providing power to the HVAC systems. The building envelope may have air infiltration and other suspicious concerns on how tight the building is.

Annex Building
Evaluation
Discussion -
Continued

Mr. Friedt indicated that an evaluation will provide helpful information and be used in developing a master plan to identify and budget for equipment improvements, efficiencies, replacement, and overall operations of the annex HVAC systems and building envelope.

Yaggy Colby Associates submitted a proposal of \$7,500 to conduct an annex building evaluation.

Commissioner Alberts stated that he prefers to wait a year on the request because we are not experiencing problems.

The Building Operations Supervisor reported that he prefers to be pro-active so we do not have a major expense sometime down the road. Mr. Friedt commented that he prefers to have an efficiently operating building therefore recommended that an annex building evaluation be performed.

Commissioner Tjosaas suggested obtaining more quotes for the project.

Commissioner Gray stated that he agreed with Commissioner Tjosaas that more quotes need to be obtained although he did not have any issues with Yaggy Colby Associates.

Mr. Friedt was asked to obtain a second quote for the annex building evaluation and bring that information back to the next meeting.

Assessment Support Specialist Wendy Iverson met with the Board to discuss a vehicle replacement request.

Vehicle Purchase for
Assessor's Office
Approved

Ms. Iverson informed the Board that the red 2000 Dodge Stratus used in the Assessor's Office has been scheduled for replacement for about three years. The Assessment Support Specialist informed the Board that \$19,500 for the Stratus replacement was removed from the 2008 preliminary budget, the capital freeze kept it from the 2009 final budget draft, and it did not get included in the 2010 preliminary budget. Ms. Iverson reported that within the last month, the brakes began to fail on Stratus and were replaced.

The Assessment Support Specialist stated that there now appears to be an opportunity to replace the 2000 Stratus with a newer vehicle. The Assessor's Office has selected a 2010 Ford Fusion SE four-door sedan which meets their needs and specifications. The base price of the vehicle is \$15,563.39, plus \$998 for two extra keys and a 7-year/75,000 mile Ford Extended Service Plan, for a total of \$16,561.39. The Assessor's Office anticipates selling the Stratus to partially offset this capital expense.

Motion by Gray seconded by Alberts to approve and authorize the Assessor's Office to purchase a 2010 Ford Fusion SE from Nelson Auto Center in Fergus Falls, MN at a cost of \$16,561.39 as requested. *Motion adopted unanimously.*

Employee Relations Director Lisa Hager presented the personnel agenda for the Boards consideration. Motion by Alberts seconded by Gray to approve the following personnel actions:

Personnel Actions
Approved

A. Highway

- A.1 Joe Allen – Equipment Operator III
Authorization to change status from Equipment Operator II B22 \$18.42 to Equipment Operator III B23 \$19.06 to fill vacancy created by status change.
Effective Date: 9/22/09

B. Environmental Services

- B.1 Water Program Manager
Approval of new job description.
Effective Date: 9/22/09
- B.2 Dean Schrandt – Water Program Manager
Authorization to change status from Environmental Technician to Water Program Manager.
Effective Date: 9/22/09
- B.3 Environmental Technician – 1.0
Authorization to post and fill vacancy created by status change and Duane Johnson's retirement.
Effective Date: 9/22/09

C. Human Services

- C.1 Ginger Nelson – Financial Worker
Annual review.
Effective Date: 10/1/09

D. Assessor's Office

- D.1 Wendy Iverson – Assessment Support Specialist
Annual review.
Effective Date: 8/13/09
- D.2 Sharon Narveson – Appraiser
Resignation.
Effective Date: 11/30/09
- D.3 Appraiser – 1.0 FTE
Authorization to post and fill vacancy created by resignation.
Effective Date: 9/22/09

E. Sheriff's Office

- E.1 Cindy Wunderlich – 911 Dispatcher - .8 FTE
Step increase from B22 step 2 \$15.78 to B22 step 3 \$16.26.
Effective Date: 8/14/09

Personnel Actions

Approved -
Continued

F. Job Description Annual Review

F.1 Annual Review of Job Descriptions

Request approval of revised job descriptions for:

- 1. Administrative Assistant – Highway**
- 2. Financial Worker – Human Services**
- 3. Child Support Officer – Human Services**
- 4. Lead Child Support Officer – Human Services**
- 5. Veteran’s Services Officer – Human Services**
- 6. Emergency Management Director – Sheriff’s Office**
- 7. Senior Clerk – Assessor’s Office**
- 8. Environmental Technician – Environmental Services**

(All updates have been reviewed by the employees in the position, Department Heads, County Administrator and Employee Relations)
Effective Date: 12/1/09

Motion adopted unanimously.

The Employee Relations Director discussed with the Board the 2010 cafeteria plan contribution. Insurance Committee members Peggy Barrett and Gary Albers were available to answer questions.

2010 Cafeteria Plan
Contribution
Discussion

Ms. Hager informed the Board that as voting members of the 2009 Insurance Committee, they have discussed the cafeteria plan options for 2010. They have taken into consideration the 11.75% (30.1% deserved) increase in health premiums and the 9.4% increase in dental premiums. They respectfully make the following recommendations:

- 1. Increase the county contribution to \$695 for single (\$60 increase) and to \$1,270 for family (\$120 increase).

It was the consensus of the Board to wait until the next meeting to take action on the request to approve a 2010 cafeteria plan contribution in order to allow the two absent commissioner an opportunity to comment on the request.

The Employee Relations Director thanked Ms. Barrett and Mr. Albers and the rest of the Insurance Committee for the work this committee has done and the work they continue to do.

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. Motion by Alberts seconded by Gray to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

Bills Approved

01	Revenue Fund	\$ 45,678.97
11	Human Services Fund	\$ 129.48
13	Road and Bridge Fund	\$ 88,625.25
16	Environmental Quality Fund	\$ 64,581.27
32	County Capital Projects	\$ 561.15
80	Agency Fund	<u>\$ 50.00</u>
	Total	\$199,626.12

A payment of \$726.82 to Lisa Kramer on page 17 for CL. RR & rip rap will be corrected. The payment should go to Stussy Construction. *Motion adopted unanimously.*

Drug Court Coordinator Eric Thompson and Human Services Director Jane Hardwick discussed with the Board their request to incorporate Family Dependency Treatment Court into Dodge County Drug Court.

Family Dependency
Treatment Court
Approved by
Resolution #2009-48

In April 2009, Mr. Thompson and Ms. Hardwick informed the Board that they were exploring whether to recommend that Dodge County's Drug Court provide services to parents with alcohol or chemical dependency who are involved with the child protection system. They committed to further analysis and training prior to returning to the Board with a recommendation.

Since that time, they have:

- Observed another county's Family Dependency Treatment Court;
- Examined relevant Dodge County child protection data;
- Completed Minnesota Judicial Branch training concerning Family Dependency Treatment Court;
- Started development of: mission and core values, steering committee, court team, policies and procedures, etc.

At this time, Mr. Thompson and Ms. Hardwick have concluded that it would be an appropriate and beneficial use of existing staff resources to establish a Family Dependency Treatment Court effective March 1, 2010.

The Human Services Director reported that twenty-one percent (or six) of the petitions filed in 2008 by Dodge County Human Services to remove a child from the parent's home (known as a child in need of protection services or CHIPS) were cases involving drug or alcohol abuse in the home.

Their preliminary analysis suggests that there would be little, if any, change in administrative costs for incorporating four to six Family Dependency cases into our existing Drug Court. The benefits would be:

- The ability to engage families with a multitude of parties in a collaborative manner, with coordinated or unified service plans, expectations, and accountability.
- A greater frequency (than normal CHIPS) of court hearings that would hold parents more accountable in a more timely and effective manner.
- Better outcomes for children and parents, including permanency and reduced trauma—promoting functionality.
- Better statistical outcomes (reduced number of out-of-home placements, increased permanency, etc.) and compliance with state and federal requirements.
- Increased likelihood of success for social workers and others involved with families.
- Reduced costs for out-of-home placement, detoxification, and incarceration.

Ms. Hardwick noted that there are some risks to the success of this project. They may find after implementation that the level of staffing time necessary to support the Family Dependency Treatment Court is greater than they had expected. This can be addressed by limiting the number of participants to assure that they can handle the caseload administratively with existing resources. Or they may find that they can document a reduction in other county expenditures (e.g., out-of-home placement) to a degree that additional investment here would be prudent. Other risks include the turnover of staff who are invested in this project, including the impending retirement of Honorable Lawrence Agerter, and the possibility of multi-county collaboration or regionalization of human services agencies. They believe that none of these risks or concerns outweighs the benefits of moving ahead at this time.

Family Dependency
Treatment Court
Approved by
Resolution #2009-48
- Continued

Motion by Gray seconded by Alberts to approve and authorize the Vice Chair and Deputy Clerk to sign resolution #2009-48 supporting the use of existing Dodge County Drug Court capacity to establish Family Dependency Treatment Court:

WHEREAS, a significant portion of petitions filed with the Court by Dodge County Human Services for children in need of protection services involves cases with drug or alcohol abuse in the home; and

WHEREAS, the Minnesota Judicial Branch finds that family dependency treatment courts promote recovery through a coordinated response to families who have a child found in need of protection or services where at least one of the parents has a substance use disorder; and

WHEREAS, the Minnesota Judicial Branch establishes the goal of family dependency treatment courts to improve outcomes for alcohol and drug addicted individuals in the courts through justice system collaboration, thereby:

- Ensuring children found to be in need of protection or services have safe, stable, and permanent families;
- Improving parental and family recovery from alcohol and other drug problems;
- Ensuring child well-being;
- Ensuring participant compliance with court-ordered case plans and system accountability; and
- Reducing costs to society; and

WHEREAS, the Minnesota Judicial Branch has established minimum requirements for the approval and operation of family dependency treatment courts in Minnesota; and

WHEREAS, the Dodge County Drug Court has existing capacity to serve an additional four to six participants and can meet the minimum requirements established by the Minnesota Judicial Branch.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby supports the establishment of a family dependency treatment court as a component of Dodge County Drug Court.

Resolution adopted unanimously.

Ms. Hardwick reported that the following are additional steps that they would take in developing and implementing this court:

Additional Family
Dependency
Treatment Court
Steps

- Obtaining Minnesota Judicial Branch approval to do the same.
 - Eric Thompson is in contact with the Third Judicial District Court and is scheduled to request State approval in November 2009, if the Board approves.
- Obtaining a signed statement from Honorable Lawrence Agerter committing to adhere to Minnesota Judicial Branch standards for Family Dependency Treatment Courts.
- Entering into a memorandum of understanding with key parties as to their participation and commitment to establishing a Family Dependency Treatment Court.
- Meeting with the Steering Committee to finalize the memorandum of understanding, mission, core values, goals, and implementation plan.
- Developing policies and procedures.
- Establishing core court team.
- Implementing effective March 1, 2010.

The Board thanked Ms. Hardwick and Mr. Thompson for their work.

County Attorney Paul Kiltinen provided the Board with a legal update.

Legal Update

Environmental Services Director Mark Gamm met with the Board to discuss the proposed waste to energy service ordinance.

Waste to Energy
Service Charge
Supported

Mr. Gamm informed the Board that the public hearing on September 15, 2009 revealed two issues that should be resolved before the ordinance is adopted.

1. The proposed October 1, 2009 service charge collection date is too soon.
2. The method in which the haulers remit the service charge may vary depending on hauler's specific billing and collection processes.

Environmental Services recommended delaying the collection date for the service charge from October 1, 2009 to January 1, 2010. There are several reasons for this recommendation:

1. It will allow haulers enough time to change their billing processes and submit their customers an invoice for January 1 collection.
2. It will make the collection of state taxes less complicated because state law prohibits awarding tax exemptions for new service charges until January 1, 2010.
3. It allows the county and haulers enough time to work out the details on how the service charge will be collected, remitted, and recorded.
4. It allows the county more time to inform residents and businesses about the service charge.

Mr. Gamm reported that delaying the collection of the service charge until January 1, 2010 will create a short-term fund balance deficit. However, projections show a gradual return to a positive fund balance by July 2010.

Projected cash flow if service charge is effective January 1, 2010:

Month	Olmsted's Price to Dodge	Dodge's Fees to Customer	Difference	Tons of Waste	Running Balance
Sept '09	\$73	\$73	\$0	791	\$0
Oct	\$93	\$73	-\$20	746	-\$14,920
Nov	\$93	\$73	-\$20	642	-\$27,760
Dec	\$93	\$73	-\$20	596	-\$39,680
Jan '10	\$93	\$107	\$14	647	-\$30,622
Feb	\$93	\$107	\$14	559	-\$22,796
Mar	\$93	\$107	\$14	684	-\$13,220
April	\$93	\$107	\$14	711	-\$3,266
May	\$93	\$107	\$14	712	\$6,702
June	\$93	\$107	\$14	770	\$17,482
July	\$107	\$107	\$0	806	\$17,482

Waste to Energy Service Charge Supported - Continued

The Environmental Services Department is working with Administration to assure that the short-term deficit can be covered with reserves in either the Environmental Services Fund or General Fund.

Mr. Gamm also recommended delaying the adoption of the Service Charge Ordinance until October 13, 2009 when all issues can be clarified.

The Board supported the implementation of the Service Charge Ordinance effective January 1, 2010.

The County Engineers reviewed with the Board a request to approve the final payment for SAP 20-599-097.

Final Payment for SAP 20-599-097 Approved

SAP 20-599-097 was a bridge construction project to construct Bridge No. 20J30, a double line box culvert, located in Ashland Township on 660th Street southwest of Dodge Center.

Swenke Co. was the main contractor on this project. Construction went as expected and Swenke Co. did a fine job. They completed the project on June 24, 2009. The project bid was \$110,422.00 with final payment being \$5,690.20.

Motion by Gray seconded by Alberts to approve and authorize the final payment of \$5,690.20 to Swenke Co. for completion of project SAP 020-599-097. *Motion adopted unanimously.*

Commissioner Tjosaas presented a summary of the Administration Committee report and action items.

Administration Committee Report

Motion by Gray seconded by Alberts to approve and authorize the September 8, 2009 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

09/08/09 Committee of the Whole Meeting Minutes Approved

Motion by Alberts seconded by Gray to approve and authorize the September 8, 2009 meeting minutes as presented. *Motion adopted unanimously.*

09/08/09 Meeting Minutes Approved

Motion by Alberts seconded by Gray to approve and authorize the September 15, 2009 work session meeting minutes as presented. *Motion adopted unanimously.*

09/15/09 Work
Session Meeting
Minutes Approved

Motion by Gray seconded by Alberts to approve and authorize the September 15, 2009 public hearing meeting minutes as presented. *Motion adopted unanimously.*

09/15/09 Public
Hearing Meeting
Minutes Approved

The Board reviewed the IT Director's request to set a public auction date for surplus computer equipment.

Surplus Computer
Equipment Public
Auction Date Set

Surplus county equipment is typically sold at public auction once a year. It is the recommendation of the IT department to sell surplus computer equipment at a silent auction, open to the public, on Friday, October 2, 2009 from 10:30 a.m. to noon. This computer equipment is obsolete, of no further use to the county, and is taking up storage space. There are no other surplus items (such as automobiles or furniture) to be sold at this time. The auction will be held at the Maintenance Building, 415 North Main, Mantorville, MN. The auction will be conducted by the IT Department and members of the Finance Department. An advertisement has been placed in the Star Herald. The cost to the county is the cost of the newspaper ad, time and labor of county employees. It is not expected that the revenue from the auction will completely recover the expenses. Mr. Wiltgen's experience from the past two auctions is that computers will sell for anywhere from \$2 to \$100. The IT Director anticipates that the auction of computer items will bring in about \$500.

Computer equipment to be sold includes:

- 10 – Dell desktop computers
- 10 – Laptops (various models)
- Other miscellaneous computer components (keyboards, network switches, printer)

Motion by Alberts seconded by Gray to set the date of the IT auction for Friday, October 2, 2009 from 10:30 a.m. to noon and authorize the sale of surplus computer equipment. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson was not available to report his meeting attendance. Commissioner Alberts attended a Waste to Energy public hearing and a Semcac meeting. Commissioner Gray attended a Fairview meeting, a Waste to Energy public hearing and a continued committee meeting. Commissioner Erickson was not available to report his meeting attendance. Commissioner Tjosaas attended a Care Center meeting, two Extension meetings, a Semcac meeting and a Fairview picnic.

Agency Reports

The County Administrator informed the Board that he has accepted a job closer to home and that his last day with the county will be Friday, October 23, 2009. Mr. McKnight thanked the Board for the opportunities he has had here in Dodge County over the past eight years.

County Administrator Resigns

The Board thanked the County Administrator for his work.

Mr. McKnight informed the Board that he will schedule a work session next week to discuss how they would like to proceed with finding a replacement for him. The meeting will take place Tuesday, September 29, 2009 at 10:30 a.m. before the railroad tour.

Motion by Gray seconded by Alberts to adjourn the meeting at 10:57 a.m. CDT.
Motion adopted unanimously.

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on October 13, 2009 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

LYLE TJOSAAS
VICE CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: